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F] 650-833-2001**FAX TRANSMISSION COVER SHEET**

May 20, 2004

To: **U.S. Patent and Trademark Office**
Attn.: Examiner Holmes

Telephone: **1-703-308-6280**

Fax Number: **1-703-746-5423**

From: Timothy W. Lohse
650-833-2055

Attorney Docket Number: 1040659-991101

Re: U.S. Patent Application:
Serial No.: 09/805,646
Examiner: Michael B. Holmes
Title: AUTOMATED PROCESS GUIDANCE SYSTEM

Filing Date: March 13, 2001
Art Unit: 2121

Pages: - 19 - (including this form) **Originals:** ☐ will be mailed ☒ will not be mailed

If there is a problem with this transmission, please call (650) 833-1548
Fax Operator/Ext.

Message:

Attached are a cover letter from Timothy Lohse and copies of the following documents:

1. Transmittal Form;
2. Fee Transmittal;
3. Response to Office Action;
4. Information Disclosure Statement;
5. Check; and
6. Stamped return postcard listing the above documents;

I hereby certify that this correspondence is being facsimile transmitted to the United States
Patent and Trademark Office, Attention Examiner Holmes, at Fax No. 703-746-5423 on May 20, 2004

Cathy Pittman
Cathy Pittman

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

(Form Rev. 8/5/00)

Gray Cary\EM7166346.1

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O] 650-833-2055
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May 20, 2004
VIA FACSIMILE - 703-746-5423

OUR FILE NO. 1040859-991101

Examiner Holmes
United States Patent and Trademark Office

Re: **Submission of Response to Office action dated August 26, 2003**
U.S. Patent Application Serial No. 09/805,646

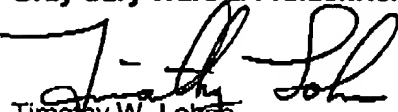
Dear Examiner Holmes:

Per your request, attached are true and correct copies of the following documents that were submitted by myself on November 26, 2003 via first class mail in response to an office action mailed on August 26, 2003:

- 1) a transmittal form (with a signed certificate of first class mailing);
- 2) a fee transmittal;
- 3) a response to the office action (with a signed certificate of first class mailing);
- 4) an Information Disclosure Statement (with a signed certificate of first class mailing);
- 5) a check in the amount of \$180; and
- 6) a return postcard listing the above documents and stamped by the US Patent Office indicating receipt of the above documents on December 1, 2003.

Very truly yours,

Gray Cary Ware & Freidenrich LLP



Timothy W. Lohse
tlohse@graycary.com

TWL:twl
Enclosures
Gray Cary\EM7166341.1
1040859-991101

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

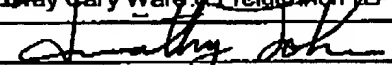
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

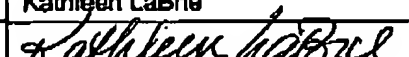
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/805,646
	Filing Date	March 13, 2001
	First Named Inventor	Mark Grimse et al.
	Art	2121
	Examiner	Michael B. Holmes
Total Number of Pages in This Submission	Attorney Docket Number	1040659-991101

NOT AVAILABLE COPY

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): 13 References Return Postcard
Remarks The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed. Customer No. 26379		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Timothy W. Lohse, Reg. No. 36,255 Gray Cary Ware & Freidenrich LLP
Signature	
Date	November 26, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed	Kathleen LaBrie
Signature	
Date	November 26, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 180.00

Complete if Known

Application Number	09/805,648
Filing Date	March 13, 2001
First Named Inventor	Mark Grimse et al.
Examiner Name	Michael B. Holmes
Art Unit	2121
Attorney Docket No.	1040659-991101

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number
Deposit Account Name

07-1896

Gray Cary Ware & Freidenrich LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	9	-20** =	0	X	0.00
Independent Claims	3	-3** =	0	X	0.00
Multiple Dependent					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	280	2203	145	Multiple dependent claim, if not paid
1204	88	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	280	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	180.00
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770				
		2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					180.00

SUBMITTED BY

Name (Print/Type) Timothy W. Lohse

Signature

Registration No. 35,255

(Attorney/Agent)

(Complete if applicable)

Telephone 650-833-2000

Date November 26, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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AND TRADEMARK OFFICEGRAY CARY WARE & FREIDENRICH
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GRAY CARY

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailing Date: November 26, 2003
U.S. Serial No.: 09/805,646
Filing Date: March 13, 2001
Title: Automated Process Guidance System And Method

Enclosed are:

- 1) Transmittal Form (in duplicate);
- 2) Fee Transmittal (in duplicate);
- 3) Response to Office Action;
- 4) Information Disclosure Statement w/ PTO Form/SB/08a & b;
- 5) Thirteen (13) references;
- 6) Certificate of first class mailing;
- 7) Return Postcard.

1040659-991101 (Kadiri Inc.)
TWL / 12074 / kj

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mailing Date: November 26, 2003
U.S. Serial No.: 09/805,646
Filing Date: March 13, 2001
Title: Automated Process Guidance System And Method

Enclosed are:

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1040659-991101 (Kadiri Inc.)
TWL / 12074 / kj

